

# SENATE BILL NO. 1486

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MCCREERY.

5974S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 1.205, RSMo, and to enact in lieu thereof one new section relating to in vitro fertilization, with an emergency clause.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 1.205, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 1.205,  
3 to read as follows:

1.205. 1. The general assembly of this state finds  
2 that:

3 (1) The life of each human being begins at conception;

4 (2) Unborn children have protectable interests in  
5 life, health, and well-being;

6 (3) The natural parents of unborn children have  
7 protectable interests in the life, health, and well-being of  
8 their unborn child.

9 2. Effective January 1, 1988, the laws of this state  
10 shall be interpreted and construed to acknowledge on behalf  
11 of the unborn child at every stage of development, all the  
12 rights, privileges, and immunities available to other  
13 persons, citizens, and residents of this state, subject only  
14 to the Constitution of the United States, and decisional  
15 interpretations thereof by the United States Supreme Court  
16 and specific provisions to the contrary in the statutes and  
17 constitution of this state.

18           3. As used in this section, the term "unborn children"  
19 or "unborn child" shall include all unborn child or children  
20 or the offspring of human beings from the moment of  
21 conception until birth at every stage of biological  
22 development, **but shall not apply to human embryos created**  
23 **through in vitro fertilization prior to successful**  
24 **implantation in the uterus.**

25           4. Nothing in this section shall be interpreted as  
26 creating a cause of action against a woman for indirectly  
27 harming her unborn child by failing to properly care for  
28 herself or by failing to follow any particular program of  
29 prenatal care.

          Section B. Because of the immediate necessity of  
2 preserving public health through access to ongoing and  
3 future fertility treatments and healthy pregnancies for  
4 Missouri families, section A of this act is deemed necessary  
5 for the immediate preservation of the public health,  
6 welfare, peace, and safety, and is hereby declared to be an  
7 emergency act within the meaning of the constitution, and  
8 section A of this act shall be in full force and effect upon  
9 its passage and approval.

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